

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

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|------------------------------------|---|---------------------------|
| JOSE B. ALEJANDRE, #1262511 | § | |
| | § | |
| V. | § | CIVIL ACTION NO. G-06-191 |
| | § | |
| NATHANIEL QUARTERMAN, Director | § | |
| Department of Criminal Justice, | § | |
| Correctional Institutions Division | § | |

ORDER OF DISMISSAL

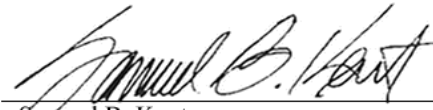
Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on June 19, 2006, which recommends that the Application for Writ of Habeas Corpus of Jose B. Alejandro be dismissed. Alejandro has filed objections to the Report and Recommendation, re-asserting his argument regarding an unsupported and unjust finding of guilt in his disciplinary proceeding.

As correctly stated by the Magistrate Judge, a prison disciplinary proceeding will not be overturned unless there is *no evidence* to support the decision of the disciplinary court. Having reviewed the evidence in this case, this Court is of the opinion that the findings made by the disciplinary court are supported by the record.

Having given this matter *de novo* review as required by 28 U.S.C. §636 (b)(1)(C), this Court finds that the Report and Recommendation of the Magistrate Judge is a well reasoned and correct application of federal law and should be, and it is hereby, **ACCEPTED** in its entirety and incorporated by reference herein.

It is **ORDERED** that the Application for Writ of Habeas Corpus of Jose B. Alejandre is **DENIED** and this cause is **DISMISSED** with prejudice.

DONE at Galveston, Texas, this the 7th day of July, 2006.



Samuel B. Kent
United States District Judge